THE WILL CONTEST

The Taking of Testimony by Contestants Still Continues.

THE TESTIMONY GIVEN YESTERDAY

Does Not Differ Materially from That of Previous Days of the Trial-Employes at the Store, Merchandise Brokers, Merchants and Business Associates Tell Virtually the Same

The Reilly will trial was resumed promptly yesterday morning in Part I of the circuit court, with not the usual large-sized crowd in attendance. Examination of witnesses summoned by the contestants was resumed. Will B. Day was the first one examined and said that he had known Michael Reilly, and had worked in the Reilly store on Main street. Had been in the Reillys' employ for eight years, in two periods. He said Michael Reilly was very forgetful, and he did not consider him capable or doing business during the latter years of his life. He cited instances of his forgetfulness; he would fail to recognize the witness when he would come into the store after he had left Mr. Reilly's employ. He did nothing but sit in the big chair and sleep. The cross examination by Mr. Russell did not bring out anything more.

T. A. Morris, the produce dealer, was next examined by Mr. Hutchinson. Witness had an acquaintance with Mr. Reilly extending over eighteen or twenty years, and sold him goods in his line, particularly potatoes and produce. Years ago Mr. Reilly's mind was all right and he considered him a good business man at that time. A year or two before his death, in the opinion of the witness, the mind of Mr. Reilly began to give way. About this time in a conversation about potatoes the deceased suddenly changed the subject of the conversation to Shakespeare. When witness reminded him what he came to the office to talk about Mr. Reilly answered, "what potatoes?" On being questioned the witness said that during the last two years of Mr. Railly's life he considered him virtually an imbecile. The witness did not do business with him in the latter years of his-life, but went to the sons. Witness had seen the deceased at theatres and church asleep. As to the deceased's mental capacity witness said it was "no good."

HIS FORGETFULNESS.

W. S. Simms, a traveling man once in the employ of the Reilly establishment, was the next witness. He had known Mr. Reilly for the last six years of his He gave an instance where the deceased went to sleep in the midst of a conversation which the witness had taken part in in the interest of the house. Other instances were also given by the witness, which tended to show the failing mental powers of the deceased.

James A. Watier, a merchandise broker, testified. He first became acquainted with Michael Reilly in 1880, when his mental and physical conditions were much better than later in his life. According to the witness, the failure of his mental powers took place gradually, and finally he became very torgetful, not remembering parts of the same conversation. Before and after Thomas's death he did not consider him capable of conducting a business. The witness did not transact business with the old gentleman, always with Thomas or James Reilly. During the last three years of his life Mr. Reilly made no purchases without consulting street. James or Thomas. Questioned as to the capacity of Michael Reilly for atfore his death, witness answered, "I did not consider him capable of attending to business at that time."

The next witness examined was A. J. Seamon, who was employed as entry clerk from 1887 for four and one-half While he was employed at the store the sons ran the business: Thomas had charge of the financial department and James was the buyer of the firm.
Occasionally Mr. Reilly would attempt
to do business, but there was sure to
be a "break" then. After the witness had left the deceased's employ he would occasionally go to the store, and often Mr. Reilly would not recognize him.

Witness said he never saw a father who treated his sons worse. He said Thomas often asked him to go into the office when only his father was there he judged Thomas had

Charles Mozier, an ex-merchandise broker, was next examined. He had sold goods to Mr. Reilly for a period of six years. For a time before his death witness did not consider him competent to attend to business. He cited an instance of sugar purchase, when Mr. Reilly purchased an inferior brand be-cause James wanted the best, at the same price. Witness would be talking business when Mr. Reilly would suddenly branch off onto some other topic. For the last twelve months of his life he did not consider him competent to attend to business at all. He knew of instances when the old gentleman bought goods at higher prices than they had previously been offered to him. After a rigid cross-examination the witness was

The next witness at the morning session was Philip Bachmann, who was employed at the Reilly establishment until the death of the old gentleman. Witness did not consider the deceased capable of attending to business and always went to James Reilly for his orders. On one occasion he wanted to buy his own horse, and on another occasion he had a cellar door nailed up on account of the large number of rats, and the employes at the store had to depend entirely on the elevator. On cross-examination the witness acknowledged that the horse that was for sale and the one owned by Mr. Reilly were hitched together in the same vehi-

AFTERNOON SESSION.

The afternoon session began promptly at 2 o'clock. The re-direct examination of Phillip Bachman was opened by Mr. Hubbard: Witness said Mr. Reilly called him in the office one day and asked him how he wanted the wagon built, and witness was surprised as he had had no conversation about a wagon. He asked "Jim" about it, and was told to tell him anything, so witness told Mr. Reilly to "make it about two feet longer." On cross-examination: The wagon was made longer as witness told him.

Mr. Reilly in childhood and worked for him several years in the Main street store, first as a porter and afterwards as a city buyer and sold goods. James was general manager of the store, and Mr. Jepson and Mr. White had charge of the books; Thomas was cashier. He fre-

quently came in contact with the old gentleman. As to his mental condition, "sometimes he was very queer in his ways toward us." About a year before his death witness said he was employed in the office, and the old man would want to buy, and would buy in immense quantities, enough in many instances to last for years. As to his judgment witness gave an instance of Reilly's unjustness, when he was called back to the "sugar piles where we got our lectures." He told witness he should always stand in the door and see that no flour was dropped. When James was at Mt. Clemens witness was in the office and had to watch so the salesmen would not sell him too much goods. He would say, "Gentlemen we must stock up." This was an everyday occurrence. Out-of-town salesmen would take advantage of the old man. Witness said he was not able to make purchases; he had no judgment. He would send witness for samples, and after he had brought them, he would be called in by Mr. Reilly and asked where the samples were, and insist he had not brought them. As to appearance and conduct after "Tom's" death, he said "the old gentlemen seemed to be going down fast." His mental condi-tion, witness said in answer to a ques-

"was very weak." On cross-examination he said he was weak in transacting business, and got worse, but "did not drop right off." For awhile he held on "just about the same condition." Witness said he did not do the outside buying, but just,

WATCHED MR. REILLY

to see he made no breaks while James was away. When a drummer would come in, Mr. Reilly would call him in the office. Witness' business was to "keep track" of the stock, and for that reason he was called into the office by Mr. Reilly. Mr. Reilly would often try to buy more than was needed. He considered James always the manager, even before "Tom's" death, and had death, and had "charge of the whole house." George had charge of the "outside," and Tom was cashier. As to the flour incident, witness said he jumped onto others about it, including Mr. Jamison, but heard him say nothing to the driver who dropped the flour. He would often make complaints, and nearly always the wrong one would get the "scolding." The scolding continued up to near his death, but he was not always that way. Thomas' son was employed in the "out-side department." It was June, 1891 It was June, 1891, when James was away, and got back about July 4. Witness said James was away from the store on one occasion for several months, and afterwards returned and continued at the store until the death of the old man.

Joseph Jacobs was the next witness.

He had tried to rent a store room from Mr. Reilly about a year before his death. He came over from Martin's Ferry and asked how much he wanted, and the old man said \$1,200, and witness said that was too much. The store room is located at 1139 Main street. The room was afterwards repaired and enlarged and he saw Mr. Reilly again, and he wanted \$1,500, and only a month after he wanted \$2,000. Witness then said unless he turned his affairs over to some one he couldn't do business with him. This was the only business he had with him. Witness said he was rather old to do business.

On cross-examination witness said he had noticed no cracks in the walls. On re-direct examination witness said the change in the building was made

before the old man's death. A PECULIAR TRANSACTION. Frank L. Hoge was called next. He knew M. Reilly, and did engineering work for him in '91 The old man sent for him and asked about running levels to see if

he could get fall enough to run drains to a Main street sewer. He told him he could get sufficient fall, but said the sower should be opened at Fourteenth street. The street commissioner was sent to him. Witness then let the matter drop, and three or four months after, looked over bills and found one against Mr. Reilly, which was sent to him. The bill was not paid. The old man claimed he had made no report; and when witness recalled the circumstance, then Mr. Relily wanted a written report; this was jurnished. Saw him again and the old man said: "Oh, well, I never directed you to do the work; I can get drainage in the rear." This was all that occurred. Witness was shown papers, one a letter and the other the report witness had made. These were the papers sent to Mr. Reilly. The work was done April 1. From facts and circumstances witness thought the old gentleman was in his dotage," and did not think him capable

of doing business. On cross-examination he said he had another business transaction in September, 1891, which, however, was not personal. This part of the testimony was excluded. He had had several business transactions with Mr. Reilly, surveyed property for him all over town. He formed his opinion on the one transac-tion he had told. Later Mr. Reilly did not deny that the work had been done, but wanted a written report. He seemed to remember then that he had ordered the work done, and a few days afterward he denied having ordered the

MR. SPEIDEL TESTIFIES.

Mr. Joseph Speidel was the next witness. He knew M. Reilly for thirty-five years; when he first knew him "he was a very shrewd business man, until within ten years of his death." After that, Thomas Reilly had charge of the business, and after Thomas's death he went to James Reilly. The change ten years before death consisted in not taking an interest in the business. years; when he first knew him "he was taking an interest in the business.
After Thomas's death he took no interest in the business. When he talked with him he would at times forget what he had just said. In one conversation he had just said. In one conversation he would ask the same question several times, and he would answer each time. In the office he would be sitting in the chair, and with his head down. On one or two occasions he did not recognize

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perfect food—palatable, easy of assimilation, and an appetizer; these are everything to those who are losing flesh and strength. The combination of pure cod-liver oil, the greatest of all fat producing foods, with Hypophosphites, provides a remarkable agent for Quick Flesh Building in all ailments that are associated with loss of flesh.

the witness, and asked who he was. As to comprehension, witness said knew very little about what was going on about him. In the latter years of his life Thomas represented Mr. M. Reilly in the wholesale grocers' association, and after Thomas's death James represented the house. He did not think the deceased's mind was very strong, and in his opinion he was not competent to attend to business.

On cross-examination as to competency by Mr. Russell, the testimony was reviewed. Witness described the scene in the office when he met Mr. Reilly. He had a habit of holding his head down, for ten or fifteen years. In the latter part of his life he appeared to be listless and not active. He would talk about business and would soon forget what was said to him.

Mr. Thomas W. Weitzel was the next witness; he is a grocer, and knew Mr. Reilly a long time, and bought goods from the house for twenty-one years, In later years at the office the old man would be in a drowsy and sleepy condition, and in the last three years did not recognize witness at all, and had to be introduced again. Ae would say, "How's business?" and then drop off to sleep. He saw the old man shortly after Tom's death and found him not as bright as he was six months before. From circumstances he considered his mental condition bad, and did not attempt to do business with him.

To Mr. Russell witness said he bought from no particular man at the store, sometimes Thomas, James or George waited on him. Had no personal transactions with Mr. Roilly regarding busi-

A DRUMMER'S STORY.

Edward O'Donnell was a drummer for Mr. Reilly, in the whisky department, for a year previous to his death. Saw Mr. Reilly every day at the store, "most of the time with his eyes shut." The old man, so far as he knew, had nothing to do with his business, except to talk to drummers. The old man had not a great understanding about the business. The old man told him how to get to a saloon without spending money; his directions were to go in the back doors. In his judgment "his mind was not right; he was childish and forgetful." He saw Father Sullivan there on several occasions. Nover saw Mr. Reilly and Father Sullivan in the rear of the store. He worked in the store three days of the week. At one saloon in Benwood he was told not to spend any money; he was a sure customer any way. "There was enough clothes pins on board to stock the country, but still the old man wanted more.' He did not know who bought the clothes pins.

George Stevens next testified: Was employed as assistant bookkeeper, Went there in the spring of '91. old gentleman sat and slept in a chair in the office; that was his principal work, except to sign checks prepared by the bookkeeper. He was liable to go to sleep any hour of the day. James Reilly did the buying, and after Thomas' death, had charge. The old gentleman would talk to drummers, and in buying consulted with James. Knew of no order not approved by James. He was easily influenced at the store. Saw Father Sullivan at the store two or three times a week, and he would call Mr. Michael Reilly out to the back part of the store and converse with him there. He remembered these interviews taking place after Thomas' death; often two or three days in succession. his judgment the condition of Mr. Michael Reilly's mind "was not just right." Did not think him capable of

transacting business.
On cross-examination he reiterated he knew of no purchases not approved by James. Said again Father Sullivan visited the store two or three times a week for five or six weeks. These visits occurred in the spring or early summer. During James' absence at Mt. Clemens he knew of one purchase of goods-tea. Mr. Reilly bought the tea. On re-direct examination witness Baid

Mr. Devlin helped in the purchases,

and was present when the tea was bought. Louis Whisson took the stand: Was

employed at the store after Thomas' employed at the store after Thomas' death; was a porter and made up orders. He saw the old gentleman nearly every day. He would generally sit in the big chair; was always attended by "Jim," a colored man. He "was very helpless and had to be led around." In the morning he would sometimes look at his mail, and would fall asleep; same thing in the afternoon. This continued until his death. James was the manager; we got our orders from him. Witager; we got our orders from him. Witness was generally in the upper store, room. He knew Father Sullivan and had seen him in the store many times; he would call the old gentleman, and they would go back to the sugar room. Sometimes these visits would last one hour or more. Saw him there three times a week. As to mental condition he did not think the old gentleman was capable of doing business. capable of doing business.

On cross-examination he said the old gentleman employed him with James Reilly's consent. He said the visits of Father Sullivan were not three times a

Father Sullivan were not three times a week regularly.

William H. Schultze was the next witness; was the bookkeeper from January, 1889, up to the death of Michael Reilly; was cashier after the death of Thomas Reilly. Michael Reilly had nothing much to do with the business, and after Thomas's death, James Reilly was the head of the business. Witness

Pittsburgh Produce Market.

Pittsburgh Produce Market.

Pittsburgh P.A., Jan. 3.—Butter, Elgin creamery 30a31c; Ohio fancy creamery 25a27c; fancy country roll 25a22c; low grades and cooking 10a 15c. Cheese, Ohio new 11½a11½c; New York new 12½a125c; Swiss, Ohio tubs 14a14½c; Wisconsin Swiss 16½c; limburger, new 13½a14c. Eggs, strictly fresh Pennsylvania and Ohio, in cases, 2ia25c. Poultry, large live chickens 45a 50c per pair; geese § 10a1 10 per pair; live turkeys 9a 10c per pound; dressed chickens, drawn 9a10c per pound; dressed chickens, drawn 9a10c per pound; dressed chickens, drawn 9a10c per pound; greese § 20 per pound. Potatoes, tancy Burbanks, carlots on track 63a55c; other kinds 45a 50c; Jersey sweets § 25a2, 50 per barrel; Baltimore sweets § 20a2 25. Cabbage, per 100 head, \$5 00a6 00. Onions, yellow globe \$1 50a1 65 per barrel. Turnips, purple tops, 40a50c per bushel, Celery, 15a25c per bunch. Rutabagas \$1 00a1 25 per barrel. Carrots \$1 25a1 50 per barrel.

During the past half century—since the discovery of Ayer's Sarsaparilla—the average limit of human life in civilized countries has been considerably length-ened. Ayer's Sarsaparilla is every-where considered the standard blood-purifier, the Superior Medicine.

THE usual treatment of catarrh is very unsatisfactory, as thousands can testify. Proper local treatment is positively necessary to success, but many, if not most, of the remedies in general use afford but temporary relief. A cure certainly cannot be expected from snuffs, powders, douches and washes. Ely's Cream Balm, which is so highly commended, is a remedy which combines the important requisites of quick action, specific curative power, with perfect safety and pleasantness to the patient. The druggists all sell it. testify. Proper local treatment is posi-

Children Cry for Pitcher's Castoria.

BELLAIRE.

All Sorts of Local News and Gossip from the Glass City.

cleaning -

ioned, tire-

all the harm

The towboat Volunteer, with a fleet of coal, yesterday ran down the fuel barge of Heatherington's coal works, that was floating down the river after supplying a boat on the up trip. The volunteer overhauled the barge just as it was passing the railroad bridge piers. There were two men on the barge, and they lowered a skiff, and one of jumped into it and remained close by to save his companion if the barge went down. But the Volunteer was backing with all her power when the coal barges struck the fuel flat, and the men succeeded in getting it off to one side without serious damage. It was an exciting scene for a time.

The Prohibitionists will hold their county convention at St. Clairsville on the 17th of this month. It is not known whether they intend to put a ticket in the field ten months before the election, or only decide what to do in the municipal elections.

M. R. Wolff, superintendent of the telephone company, will put two free telephones in the hose houses in the lower and upper ends of town. This is done in accordance with an ordinance making special grants.

Arthur Deming, the comedian, with "A Stranger" company, is well remembered here by theatre-goers, and his name alone will undoubtedly draw a

Many people are behind with their taxes this year, and County Treasurer Archer will give most of this month for them to pay up in, especially along the river front.

Col. T. H. B. Haase, of Virginia, was the guest of his son, R. C. Haase, the genteel Baltimore & Ohio ticket agent in this city, yesterday. The new pike between this city and

West Wheeling will be out of sight long before spring. A good portion of it is not visible now. Will Hubbard, chief engineer on the Benwood ferry, has had patented an

automatic cylinder cock that he regards as a good thing. Marshal Johnson went to Zanesville yesterday with a fellow named Black,

who was sent up under the vagrancy William Jeffers paid \$25 and costs for breaking "Skip" Murphy's jaw in a saloon the other night, and is out again.

MOUNDSVILLE.

A Miscellaneous Melange of Minor Matters from Marshall's Metropolis.

A tremendous gang of "bums" invaded the city night before last. The night policemen reported yesterday morning that they had been chasing at least eighty all night. They said that one night train landed fifty-five. They were all looking for some place to stay all night. The policemen drove them all out of town. A number of them were caught sitting in front of several business houses early in 'the morning, but they did not get to make a raid.

The county commissioners, with T. J. Parsons, J. L. Parkinson and J. A. Ewing, went out to Rosby's Rock yesterday to settle the dispute over the right of way for a road to the new Rosby's bridge.

The Moundsville Coal Co. has notified its miners of a reduction to take effect on the 15th inst. It has not been accepted yet by the miners and there is doubt whether it will be, as it is a big cut.

Younken & Hicks were awarded the contract for the macadamizing of about 1,000 yards of Waynesburg avenue with limestone, at ninety-eight cents per vard. J. T. Francis has bought the W. P.

McDonald property on Tomlinson avenue and will return to Moundsville to five. He lately removed to Cameron. C. W. Kronhardt, of Benwood, and William F. Stifel, of Wheeling, were in attendance at the meeting of the Mound ity Brick Co. vesterday

Harry Patton left Monday for Morgantown, where he will take a medical course in the state university. J. E. Paull, formerly of Monongah,

has accepted a position as book-keeper for the Moundsville Coal Co. Sam Parkinson left yesterday morn-

ing for Laport, Ind., where he intends to learn the jewelry trade. Representatives of the South Penn Oil Company are here looking up oil

The Globe Mineral Wool Company is making more wool now than it ever

How's Thisl

We offer One Hundred Doilars Reward for any case of Catarrh that can-not be cured by Hall's Catarrh Cure.

F. J. Cheney & Co., Props.,
Toledo, O.

We, the undersigned, have known F.
J. Cheney for the last fifteen years, and
believe him perfectly honorable in all
business transactions and financially able to carry out any obligation made

West & Truax, Wholesale Druggists,

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Walding, Kinnan & Marvin, Wholesale
Druggists, Toledo, Ohio. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system. Price,

75c per bottle. Sold by all druggists. Testimonials free. "Spilks is getting awfully out of sorts these days." "No wonder. He's got

these days." "No wonder. He's got twins and a perambulator, and the weather's so bad he daren't go out and trundle 'em up and down in front of the neighbors."—Chicago Record.

All Free.

Those who have used Dr. King's New Discovery know its value, and those who have not, have now the opportunity to try it free. Call on the advertised druggist and get a trial bottle free. Send your name and address to H. E. Bucklen & Co., Chicago, and get a sample box of Dr. King's New Life Pills free, as well as a copy of Guide to Health and Household Instructor, free. All of which is gnaranteed to do you good and which is guaranteed to do you good and cost you nothing. Logan Drug Co.'s drug store.

For Colds,

Coughs, Croup, Influenza, and Bronchitis,

CHERRY PECTORAL

the best of all anodyne expectorants. Prompt to act,

Sure to Cure

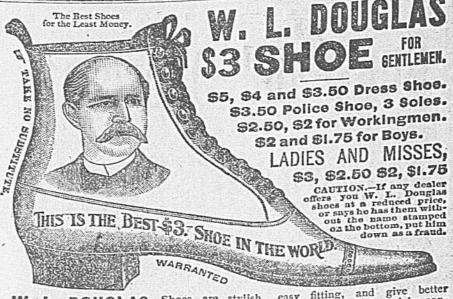
Knotty, and Not Nice

that do the washold-fash--the hands way. Treat with soap, in the them to Pearlsome, hurtful only the hands, them better, treat rub, that tells on ine. It saves not the back, and that comes that comes of the wear but the rub, rub, the arms and from & Think woman with a and tear that's though she's "tired strong, healthy to death" after it. Then think how much better, and cheaper,

Peddlers and some unscrupulous grocers will tell you,
"this is as good as" or "the same as Pearline." IT'S
"this is as good as" or "the same as Pearline." IT'S
FALSE—Pearline is never peddled, if your grocer sends
you an imitation, be honest—send it back.

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W. L. DOUGLAS Shoes are stylish, easy fitting, and give better satisfaction at the prices advertised than any other make. Try one pair and be convinced. The stamping of W. L. Douglas' name and price on the bottom, which guarantees their value cause the convention of the stamping of the guarantees their value, saves thousands of dollars annually to those who wear them. Dealers who push the sale of W. L. Douglas Shoes gain customers, which helps to increase the sales on their Gillians. increase the sales on their full line of goods. They can afford to sell at a less profit, and we believe you can save money by buying all your footwear of the dealer advertised below. Catalogue free upon application. W. L. DOUGLAS, Brockton, Mass. J. T. STONE, 1042 Main Street, H. F. MENKEMELLER, 2151 Market Street, GEORGE, STEWART, Bridgegort, Ohio.

ATTRACTIVE SALE-GEO. R. TAYLOR.

First Attractive Sale

GEO.R.TAYLOR

Has placed on his counters, at Main Street Entrance, his entire stock of

-AND-

Muslin Underwear AT MARKED-DOWN PRICES!

Sale Commencing this (Tuesday) Morning.

All garments were made to order and materials and workmanship are the best.

The ladies are invited to call and examine this stock of Underwear and see the Marked Down Prices, which are in plain figures.

LADIES' CLOTH JACKETS and CAPES continued at exactly Half

EIDER DOWN QUILT Sale in Market Street Room, also continued at Marked Down Prices.

GEO. R. TAYLOR



This marvelous tonic for the nervous system, stimulates and restores dormant energy and power; CURES bearing down pains. It has a direct influence on the uterus and mannary ment, still guaranteed. Circular free. Fackage containing internal and local treatments, and the containing internal and local treatments. Before and After Using.

GOETZE. Successor to McLain Bros. Twelfth and Market Streets. 1020 Sold by CHAS. R. GOETZE, Successor to McLain Bros., Twellth and Market Streets.

FOR THE If you are afflicted why not NEUROVINE TABLETS! IT CURES OTHERS. IT WILL CURE YOU. AND Adecided improvement in one week. Those unfloring from Nervous Debillity, Weak Memory, Palas in the Back or Head, Blues, Nervous Prostration, or Sleeplessness, should SOLD BY CHAS R. GOETZE, 12th & Market, & GEO, H. EBELING, 2125 Market. ************************



The great remedy for nervous prostration and all nervous diseases of the great remedy for nervous prostration and all nervous diseases of the great remedy for nervous prostration and line of the generative organs of either ser, such as Nervous Prostration. Falling or Lost Manhood, Impotency, Nightly Emissions, Touthful Errors, Alemial Worry, excessify use of Tobaseco or Josuan, which lead to Consume the Consumer of the Consume For sale in Wheeling by the LOGAN DRUG CO., Main and Tenth Streets.